

109TH CONGRESS
1ST SESSION

H. R. 2369

To amend title 10, United States Code, to provide for the Purple Heart to be awarded to prisoners of war who die in captivity under circumstances not otherwise establishing eligibility for the Purple Heart.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2005

Mr. FILNER (for himself and Mr. McNULTY) introduced the following bill;
which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide for the Purple Heart to be awarded to prisoners of war who die in captivity under circumstances not otherwise establishing eligibility for the Purple Heart.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Honor Our Fallen
5 Prisoners of War Act”.

1 **SEC. 2. AWARD OF PURPLE HEART FOR PRISONERS OF**
2 **WAR WHO DIE IN CAPTIVITY.**

3 (a) PERSONS NOT OTHERWISE ELIGIBLE FOR THE
4 PURPLE HEART.—Chapter 57 of title 10, United States
5 Code, is amended by adding at the end the following new
6 section:

7 **“§ 1135. Purple Heart: members who die while pris-**
8 **oners of war that are not otherwise eligi-**
9 **ble under the circumstances causing**
10 **death**

11 “(a) For purposes of the award of the Purple Heart,
12 the Secretary concerned shall treat a member of the armed
13 forces described in subsection (b) in the same manner as
14 a member who is killed or wounded in action as the result
15 of an act of an enemy of the United States.

16 “(b) A member described in this subsection is a mem-
17 ber who dies in captivity under circumstances establishing
18 eligibility for the prisoner-of-war medal under section
19 1128 of this title but not under circumstances establishing
20 eligibility for the Purple Heart.

21 “(c) This section applies to members of the armed
22 forces who die on or after December 7, 1941. In the case
23 of a member who dies as described in subsection (b) on
24 or after December 7, 1941, and before the date of the
25 enactment of this section, the Secretary concerned shall
26 award the Purple Heart under subsection (a) in each case

1 which is known to the Secretary before the date of the
2 enactment of this section or for which an application is
3 made to the Secretary in such manner as the Secretary
4 requires.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by adding
7 at the end the following new item:

“1135. Purple Heart: members who die while prisoners of war that are not otherwise eligible under the circumstances causing death.”.

